

CITY OF SOLANA BEACH

SOLANA BEACH CITY COUNCIL, SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY,
PUBLIC FINANCING AUTHORITY, & HOUSING AUTHORITY



MINUTES

Joint REGULAR Meeting

Wednesday, December 11, 2019 * 6:00 p.m.

City Hall / Council Chambers, 635 S. Highway 101, Solana Beach, California

- City Council meetings are video recorded and archived as a permanent record. The [video](#) recording captures the complete proceedings of the meeting and is available for viewing on the City's website.
- Posted Reports & Supplemental Docs contain records up to the cut off time prior to meetings for processing new submittals. Complete records containing meeting handouts, PowerPoints, etc. can be obtained through a [Records Request](#).

CITY COUNCILMEMBERS

David A. Zito, Mayor

Jewel Edson, Deputy Mayor

Judy Hegenauer, Councilmember

Kristi Becker, Councilmember

Kelly Harless, Councilmember

Reorganization

Jewel Edson, Mayor

Judy Hegenauer, Deputy Mayor

Kristi Becker, Councilmember

Kelly Harless, Councilmember

David A. Zito, Councilmember

Gregory Wade
City Manager

Johanna Canlas
City Attorney

Angela Ivey
City Clerk

CALL TO ORDER AND ROLL CALL:

Mayor Zito call the meeting to order at 6:04 p.m.

Present: David A. Zito, Jewel Edson, Judy Hegenauer, Kristi Becker, Kelly Harless

Absent: None

Also Present: Greg Wade, City Manager
Johanna Canlas, City Attorney
Angela Ivey, City Clerk,
Dan King, Assistant City Manager
Mo Sammak, City Engineer/Public Works Dir.
Marie Berkuti, Finance Manager
Joseph Lim, Community Development Dir.

CLOSED SESSION REPORT: None

FLAG SALUTE:

APPROVAL OF AGENDA:

Motion: Moved by Deputy Mayor Edson and second by Councilmember Hegenauer to approve. **Approved 5/0.** Motion carried unanimously.

C. STAFF REPORTS: (C.1.)

Submit speaker slips to the City Clerk.

C.1. Annual Mayor and Deputy Mayor Appointments. (File 0430-20)

Recommendation: That the City Council nominate and appoint the 2020 Mayor and Deputy Mayor for a term of December 11, 2019 to December 9, 2020.

Peggy Walker spoke about Mayor Dave Zito's support and presented him with small token of appreciation.

1. Mayor calls for a nomination of Mayor. Call for the vote.

Motion: Moved by Deputy Mayor Jewel Edson and second by Councilmember Harless to appoint Jewel Edson to Mayor. **Approved 5/0.** Motion carried unanimously.

2. Appointed Mayor calls for nomination of a Deputy Mayor. Call for the vote.

Motion: Moved by Councilmember Zito and second by Councilmember Becker to appoint Judy Hegenauer as Deputy Mayor. **Approved 5/0.** Motion carried unanimously.

Councilmembers shared their thanks and appreciation for outgoing Mayor Zito and presented him with a gift.

Councilmember Zito spoke about his year as Mayor and the projects that the Council had accomplished.

Greg Wade, City Manager, spoke about working with Mayor Zito and presented him with a gift from the City and Staff.

Mayor Edson recessed the meeting for a break for the outgoing Mayor Zito at 7:20 p.m. and reconvened at 7:50 p.m.

PROCLAMATIONS/CERTIFICATES: *Ceremonial*

National 7th Annual Sandy Hook Vigil for Gun Violence Prevention.

ORAL COMMUNICATIONS:

This portion of the agenda provides an opportunity for members of the public to address the City Council on items relating to City business and not appearing on today's agenda by submitting a speaker slip (located on the back table) to the City Clerk. Comments relating to items on this evening's agenda are taken at the time the items are heard. Pursuant to the Brown Act, no action shall be taken by the City Council on public comment items. Council may refer items to the City Manager for placement on a future agenda. The maximum time allotted for each presentation is THREE MINUTES (SBMC 2.04.190). Please be aware of the timer light on the Council Dais.

Kristine Schindler spoke about the Lomas Santa Fe Corridor project and its workshops, its importance to the community, and support for the need of a safer corridor and a more complete street. She announced an "open street" event opportunity in Encinitas with Cyclovia Encinitas on January 12, 2020.

Judy Strang, San Dieguito Alliance for Drug Free Youth, spoke about the concerns of vaping among youth, the CDC (Center for Disease Control) report (handout-on file), and a request to consider banning flavored vaping nicotine products.

COUNCIL COMMUNITY ANNOUNCEMENTS / COMMENTARY:

An opportunity for City Council to make brief announcements or report on their activities. These items are not agendized for official City business with no action or substantive discussion.

A. CONSENT CALENDAR: (Action Items) (A.1. - A.7.)

Items listed on the Consent Calendar are to be acted in a single action of the City Council unless pulled for discussion. Any member of the public may address the City Council on an item of concern by submitting to the City Clerk a speaker slip (located on the back table) before the Consent Calendar is addressed. Those items removed from the Consent Calendar by a member of the Council will be trailed to the end of the agenda, while Consent Calendar items removed by the public will be discussed immediately after approval of the Consent Calendar.

A.1. Register Of Demands. (File 0300-30)

Recommendation: That the City Council

1. Ratify the list of demands for November 09 – November 22, 2019.

Motion: Moved by Councilmember Zito and second by Councilmember Becker to approve. **Approved 5/0.** Motion carried unanimously.

A.2. General Fund Adopted Budget for Fiscal Year 2019-2020 Changes. (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2019-2020 General Fund Adopted Budget.

Motion: Moved by Councilmember Zito and second by Councilmember Becker to approve. **Approved 5/0.** Motion carried unanimously.

A.3. State Parks Shoreline Erosion Protection Grant Application (File 0390-32, 0610-12)

Recommendation: That the City Council

1. Adopt **Resolution 2019-153** authorizing submittal of a Shoreline Erosion Protection Grant application to the State of California Department of Parks and Recreation, Division of Boating and Waterways and authorize the City Manager to act on behalf of the City of Solana Beach, in consultation with the City Attorney, to negotiate and execute all agreements and amendments necessary to comply with the State Parks, Division of Boating and Waterways grant requirements.

Motion: Moved by Councilmember Zito and second by Councilmember Becker to approve. **Approved 5/0.** Motion carried unanimously.

A.4. Citywide Janitorial Services. (File 0700-20)

Recommendation: That the City Council

1. Adopt **Resolution 2019-155:**

- a. Authorizing the City Manager to execute a one year professional services agreement with California Office Cleaning, Inc., in an amount not to exceed \$107,880, for Citywide Janitorial Services effective January 1, 2020.
- b. Authorizing the City Manager to extend the agreement up to four additional years at the City's option in an amount not to exceed the amount budgeted each year.

Motion: Moved by Councilmember Zito and second by Councilmember Becker to approve.
Approved 5/0. Motion carried unanimously.

A.5. Tide Beach Park Slope Paving Removal (File 0730-20)

Recommendation: That the City Council

1. Adopt **Resolution 2019-152:**

- a. Awarding a construction contract for the Tide Beach Park Slope Paving Removal Project, Bid 2019-06, in the amount of \$33,900, to Wright Construction Engineering Corp.
- b. Approving an amount of \$10,000 for construction contingency.
- c. Authorizing the City Manager to execute the construction contract on behalf of the City.
- d. Authorizing the City Manager to approve cumulative change orders up to the construction contingency amount.

Motion: Moved by Councilmember Zito and second by Councilmember Becker to approve.
Approved 5/0. Motion carried unanimously.

A.6. Pacific Avenue - Phase 2 Underground Utility District (File 1010-90)

Recommendation: That the City Council

1. Adopt **Resolution 2019-154:**

- a. Authorizing the City Manager to enter into Professional Services Agreements, in an amount not to exceed \$240,000, with any required consultants needed for the formation of the Pacific Avenue – Phase 2 Underground Utility District.
- b. Authorizing the City Manager to execute, on behalf of the City, a reimbursement agreement with the neighborhood coordinators for a deposit in the amount of \$35,000 for assessment engineering services for the Pacific Avenue – Phase 2 Underground Utility District.

Motion: Moved by Councilmember Zito and second by Councilmember Becker to approve.
Approved 5/0. Motion carried unanimously.

A.7. City Hall Holiday Closure (File 0520-80)

Recommendation: That the City Council

1. Approve the closure of City Hall on Thursday, December 26, 2019 and Monday, December 30, 2019 for miscellaneous, confidential and management employees, and approve 16-hours of additional leave to the marine safety and fire employees' leave banks.

Motion: Moved by Councilmember Zito and second by Councilmember Becker to approve. **Approved 5/0.** Motion carried unanimously.

B. PUBLIC HEARINGS: (B.1. – B.4.)

This portion of the agenda provides citizens an opportunity to express their views on a specific issue as required by law after proper noticing by submitting a speaker slip (located on the back table) to the City Clerk. After considering all of the evidence, including written materials and oral testimony, the City Council must make a decision supported by findings and the findings must be supported by substantial evidence in the record. An applicant or designee(s) for a private development/business project, for which the public hearing is being held, is allotted a total of fifteen minutes to speak, as per SBMC 2.04.210. A portion of the fifteen minutes may be saved to respond to those who speak in opposition. All other speakers have three minutes each. Please be aware of the timer light on the Council Dais.

B.1. Introduce (1st Reading) Ordinance 508 – Providing Regulations Concerning Accessory Dwelling Units and Junior Accessory Dwelling Units (File 0610-10)

Recommendation: That the City Council

1. Conduct the Public Hearing: Open the public hearing, Report Council disclosures, Receive public testimony, Close the public hearing.
2. Find the project exempt from the California Environmental Quality Act pursuant to Section 15303 and Section 15061(b)(3) of the State CEQA Guidelines; and
3. Introduce **Ordinance 508** regulating the development of accessory dwelling units.

Greg Wade, City Manager, introduced the item.

Mayor Edson opened the public hearing.

Council disclosures.

Council and Staff discussion.

Motion: Moved by Councilmember Zito and second by Deputy Mayor Hegenauer to close the public hearing. **Approved 5/0.** Motion carried unanimously.

Motion: Moved by Councilmember Zito and second by Councilmember Harless to approve and clarifying the language that the limit of a hundred square feet would only apply to the

accessory structure and not the primary dwelling unit. . **Approved 5/0.** Motion carried unanimously.

B.2. Solana Energy Alliance Community Choice Aggregation Implementation Plan Amendment (File 1010-45)

Recommendation: That the City Council

1. Adopt **Resolution 2019 - 156** approving the Solana Energy Alliance Implementation Plan Amendment.

Greg Wade, City Manager, introduced the item.

Dan King, Assistant City Manager, presented a PowerPoint (on file).

Mayor Edson opened the public hearing.

Motion: Moved by Deputy Mayor Hegenauer and second by Councilmember Becker to close the public hearing. **Approved 5/0.** Motion carried unanimously.

Motion: Moved by Councilmember Becker and second by Deputy Mayor Hegenauer to approve. **Approved 5/0.** Motion carried unanimously.

B.3. Public Hearing: 652 Stevens Ave., Applicant: 652 Stevens LLC, Case 17-17-34.
(File 0600-40)

The proposed project meets the minimum zoning requirements under the SBMC, may be found to be consistent with the General Plan and may be found, as conditioned, to meet the discretionary findings required as discussed in this report to approve a DRP and SDP. Therefore, Staff recommends that the City Council:

1. Conduct the continued Public Hearing: Report Council Disclosures, Receive Public Testimony, and Close the Public Hearing.
2. Find the project exempt from the California Environmental Quality Act pursuant to Section 15303 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2019-116** conditionally approving a DRP, SDP, and MEC to demolish an existing structure and construct a mixed-use development consisting of a two-story commercial dentist office and one (1) residential unit located over an on-grade off-street parking carport at 652 Stevens Avenue, Solana Beach.

Greg Wade, City Manager, introduced the item.

Katie Benson, Associate Planner, presented a PowerPoint (on file).

Council disclosures.

Council and Staff discussed setbacks, heights, space for a 10 ft. landscape buffer, surrounding landscape for the parking stalls requiring, and fence heights,

Mojtana Esfahani, Applicant, spoke about meeting with the neighbors twice and walking the property, listening to their concerns and ideas, and addressing most of them.

Rob Quigley, Architect, reviewed the design as well as his commercial designs in Solana Beach. He spoke about the neighborhood in transition, reasons that the structure was designed a certain way, the front planter in line with City property, the elimination of a wall, landscaping to screen parked cars, the building being set-back 65 ft. from the street to minimize the appearance of mass, the building being two-story and not three-story, and their efforts to soften the building mass and the surrounding wall.

Council, Staff and Applicant discussed ceiling heights, the varying heights of the wall, elevation heights between adjacent properties, and the stair-stepped wall.

Irene Young spoke about meeting with the architect and the owner, her concerns for the community and the massiveness of the structure with the large part of it in the front of the project rather than in the back.

Gary Young spoke about the shadow cast by the building and that lowering it 4-5 ft. would reduce the mass appearance.

Danny Hernandez spoke about working with the applicant, breaking down the bulk on the northwest wall, the 21 ft. tall ceilings and 9 ft. overhang, the wall on the north side supporting an overhang that added to the bulk of the project, the sun coming mostly from the south, they're being a good business asset to the community, and the overall effects on the surrounding homes.

Council, Staff, and Applicant discussed possible ideas to reduce the mass, the setbacks, the driveway, shading of the project onto other properties, distances between the properties, lowering the pad elevation to lower the structure, and moving the structure back a bit more. Discussion continued regarding lighting, parking, drainage, solar panels, bike racks, the current story poles not illustrating the changes to the project, the need for updated story poles in projects that return with changes, and how the size of the windows effects the appearance of mass.

Motion: Moved by Deputy Mayor Hegenauer and second by Councilmember Harless to close the public hearing. **Approved 5/0.** Motion carried unanimously.

Motion: Moved by Councilmember Zito and second by Deputy Mayor Hegenauer to approve with additional condition that the architectural windows in the north wall be doubled in dimension and size for aesthetics relating to bulk and mass. **Approved 5/0.** Motion carried unanimously.

B.4. Introduce (1st Reading) Ordinance 509 – Annual Adjustment of Impact Fees (File 0390-23)

Recommendation: That the City Council

1. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, and Close the Public Hearing.
2. Introduce **Ordinance 509** Amending Chapter 15.50.080 of the SBMC.
3. Introduce **Ordinance 510** Amending Chapter 15.60.080 of the SBMC.
4. Introduce **Ordinance 511** Amending Chapter 15.65.080 of the SBMC.
5. Introduce **Ordinance 512** Amending Chapter 15.66.080 of the SBMC.

Greg Wade, City Manager, introduced

Mayor Edson opened the public hearing.

Motion: Moved by Councilmember Zito and second by Deputy Mayor Hegenauer to close the public hearing. **Approved 5/0.** Motion carried unanimously.

Motion: Moved by Councilmember Zito and second by Councilmember Harless to approve. **Approved 5/0.** Motion carried unanimously.

C. STAFF REPORTS: (C.2.)

Submit speaker slips to the City Clerk.

C.2. Adopt (2nd Reading) Ordinance 507 - Floodplain Overlay Zone (File 0610-10)

Recommendation: That the City Council

1. Adopt **Ordinance 507** (2nd Reading) amending the Solana Beach Floodplain Overlay Zone (Sections 17.80.020, 17.80.090, 17.80.110, 17.80.120, 17.80.140, 17.80.150 and 17.80.200) of the Solana Beach Municipal Code.

Johanna Canlas, City Attorney, read the title

Motion: Moved by Councilmember Zito and second by Deputy Mayor Hegenauer to approve. **Approved 5/0.** Motion carried unanimously.

WORK PLAN COMMENTS:

Adopted June 12, 2019

COMPENSATION & REIMBURSEMENT DISCLOSURE: None

GC: Article 2.3. Compensation: 53232.3. (a) Reimbursable expenses shall include, but not be limited to, meals, lodging, and travel. 53232.3 (d) Members of a legislative body shall provide brief reports on meetings attended at the expense of the local agency "City" at the next regular meeting of the legislative body.

COUNCIL COMMITTEE REPORTS: [Council Committees](#)

REGIONAL COMMITTEES: (outside agencies, appointed by this Council)

STANDING COMMITTEES: (All Primary Members) (Permanent Committees)

ADJOURN:

Mayor Edson adjourned the meeting at 8:50 p.m.

Angela Ivey, City Clerk

Approved: February 21, 2020